



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

here reprinted. Here, as elsewhere, the author gives by skilful selection of detail the clearest picture of the real Roon and his part in the work of changing Prussia from an absolute to a constitutional monarchy. The extremely reactionary sympathies of Roon have certainly deprived him of his due share of credit, but without his effective work it is very doubtful if Bismarck could have secured so complete a triumph for the crown over the legislature during the sixties, as he did.

But Marcks is not only a skilful portrayer of men. The chapters on Germany and England, on *The Imperialistic Idea at the Present Time* (1903), and on 1848 exhibit not only ample research but the power to present whole chapters out of modern history with a clearness rarely attained by others. The strong bias in favor of imperialism, *Machtpolitik*, hero-worship, which is obvious on nearly every page, has certainly influenced the author in the choice and treatment of his subjects, but that he works strictly from the facts and that his numerous generalizations are reasonable are equally obvious.

The book is well printed on good paper. The large number of three-, four- and even five-page paragraphs, however, shows a certain lack of consideration for the reader that might well have been avoided.

ROSCOE J. HAM.

Bowdoin College.

Miraglia, Luigi. *Comparative Legal Philosophy.* Pp. xl, 793. Price \$4.75. Boston: The Boston Book Company, 1912.

This is one of the series prepared by a committee appointed by the Association of American Law Schools, a committee composed of Ernest Freund, Charles H. Huberich, Albert Kocourek, Ernest G. Lorenzen, Roscoe Pound and John H. Wigmore. Professor Miraglia's treatise is most extensive in the fields covered. He includes epistemology, political theories, ethics, sociological and anthropological discussions of the origin of legal institutions and their place and value, and interspersed excursions into psychology and biology. The philosophy of law, he says "should sketch with a free hand the organism of legal institutions according to the principles of reason, and should have regard to the multiplications and intimate relations of philosophy with the legal, social, and political sciences." The author's discussion of the philosophy of law is fully in accord with his definition. There is an introduction of eighty-two pages giving a sketch of the history of philosophy from Greek to modern, confined for the most part to the development of epistemological theory with an occasional interjection of the theory of the state or of law. The application of this epistemological theory to law and legal theory is left entirely to the reader and it is often very difficult to see wherein any application can be made. Except for occasional paragraphs the introduction might as well preface a philosophy of science or a philosophy of religion.

Following the introduction is Book I which discusses the various ideas of law, such as the inductive and deductive, and also the relation between law and morals, social science, sociology and political science. Book II is devoted to a discussion of private law. The treatment is historical with an account of the work of sociologists like Vico, Spencer, Maine, Morgan and McLennan. These

later chapters have real value and alone justify the use of the book as a text for undergraduates, which is its professed aim. The author is a little apt to accept uncritically theories, like that of original community of women, which have been rejected by many modern writers. However, his analyses of the individual and his rights, of property and the methods of acquiring it, of legislation as to property, of legislation as to contracts, the freedom of contract, of patents, etc., are cogent and of value.

All must frankly recognize that the author's task is an exceedingly difficult one, one that can be adequately handled neither by the philosopher nor by the lawyer. With such a task, the author has done his work admirably. If read critically the book is of great suggestive value.

CLYDE L. KING.

University of Pennsylvania.

Moore, John B. *Four Phases of American Development.* Pp. 218. Price \$1.50. Baltimore: Johns Hopkins Press, 1912.

Published lectures of a more or less popular character bespeak an exercise of charitable forbearance on the part of the reviewer. The critic may not treat too seriously a series of four lectures which were designed to sketch only the salient features of American history and to be suggestive rather than scholarly and informing. Just why Professor Moore labeled his four selected phases of American development as he did, is not clear. Federalism, democracy, imperialism, expansion, are not mutually exclusive terms. Yet their use in these lectures indicates that the writer conceives one phase to have succeeded another—the federal phase yielding to the democratic, and it in turn to the imperialistic. There was certainly a democratic movement before 1789, as Professor Moore suggests; and the term federal is quite as applicable to the quarter-century following the adoption of the constitution as to the preceding period. What is termed imperialism, did not succeed the democratic movement of the middle of the nineteenth century, but accompanied it. Moreover, nowhere, except in alluding to the recall, has the author taken account of the later democratic phase, in which we are now living, typified by the agitation for direct primaries, direct legislation and popular review of judicial decisions. Inappropriate, too, by Professor Moore's own admission is the term "expansion" to the fourth phase of American development, for he takes sharp issue with "our begoggled seers" who think that the United States became a World Power in 1898. In acquiring the Philippine Islands "we were merely following a habit which had characterized our entire national existence" (p. 148). Here and there are statements which sound somewhat dogmatic. It does not quite accord with the ideal of the historian, as set forth in the preface, to speak of the "irrepressible conflict" as "a contest, upon the fair settlement of which any three intelligent and disinterested men . . . should have been able to agree in half an hour" (p. 107). The reviewer is not disposed to criticise the seeming irrelevancy of certain parts of the lectures, such as the digression touching upon the mooted question whether the United States has a common law, for these passages are among the most suggestive in the volume.

ALLEN JOHNSON.

Yale University.